Dear Howard, 11/19/77

This is an update in the short period before a TV comedy we are taking in tonight. For some time I'll have a second use for TV time, as tomorrow with the Sadat speech: 3-hile punching the unexpurgated 3,000 index cards the FBI has coughed up in the King case. They are withholding some names, all I can identify those of prisoners they asked about Ray. I have those names so it amounts to no withholding from me because they will match obliterations ~~that~~ that remain. We got the heavily expurgated first set on discovery but too late for use on discovery. However, it looks as though either the DJ can or won't force the FBI to comply is some remaining areas or what Jim and I think is not impossible, may be using me to batter them in court. I've told them I will testify and I will fill in the withholdings of names from the public domain and from what they have given me. I think they'll look ludicrous. We are in camera Monday at 11 a.m. on this.

I've been feeling pretty good because while it is cool most days and cold all nights I have been able to do some outdoors work. ,ostly dragging tree limbs from the woods on the other side of the cabin. I drag them to the front lawnwhere I chop all I can with the machete and stack the rest for sawing. I've hardly used the furnace for the fireplace.

I meant to say in first graf that it looks as though we'll go to trial in the King case. Unless the judge gets firm in the chambers session. She is sick and tired of the case. If she thinks back maybe she'll remember that I said that she and we would be abused as long as she'd permit it when I testified more than a year ago. I said that unless there is punishment for those who regard themselves immune from any offense they will continue to commit these offenses. The record bears me out. But the judge who has the backbone I have yet to be before.

While compliance from the field offices has been meager we have broken that barrier down. I'm pushing for more compliance on specific items now.

I've begun to sort of outline elements of non-compliance to have them ready for Monday and if necessary later for Jim.

Jim is pushing them to release everything. I suggested a compromise when their backs went up: check the worksheets and re-examine their b2 and 7c and d claims but forget the privacy, Jim's argument, because there is no legitimate issue of privacy in this, already ruled to be an historical case. We've forced that, too. They are crazy if they do not do this because they'll have to reprocess these records far into the future for others. We've told them that is we are denied on some of the things they allege are new we'll just file new requests and complaints and they can do all the work over agin for us.

Jim has a breakthrough in the OPR records. We are getting most of them. I think it is now do to their withholding the reports they got from the police. We claim it is all known and they've waived by giving me copies of the police political and surveillance reports. Jim has that case before Gesell.

Interrupted then the in camera session yesterday in which Green again chickened. You'll be picking more up from what I'll send later. I'm the government's consultant in its defense of my suit against it under FOIA. To be paid, as though that is less involuntary servitude, and to assume the burden of proof, despite the Act. Aside from questions of principle and how I spend my time I'm not unhappy. I will be an extremely diligent consultant. I will be informative and specific. ...Whitten is going to use what I sent him on the Army destroying its JFK assassination files. As usual he found the case complete in what I sent him. He is going to question some military FOIA official. It will be limited to my materials. (As I think you saw from copies I sent him none of Paul's and he has not asked me about Paul.) It is safe for him and simple enough for the audience: whydestroy such records?

Jim is off with May,first at one of her conventions. He returns late 11/29, after they visit with his folks for a few days/

We've had a return to normal late-November weather. It is 36 on thenoutside of the window but I've kep the place warm enough with the fireplace only. Right now I'm readying it to last the night through. ...I'll be sending you the Post's treatment of the FBI's Cointelpro releases when Lil turns the copier on. When you receive it note the reference to LHO. Hope you both have a fine holiday. Best,